

United States District Court
For the Northern District of California

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6 AMANDA FRLEKIN, AARON
7 GREGOROFF, SETH DOWLING,
8 DEBRA SPEICHER and TAYLOR
9 KALIN, on behalf of themselves and all
10 others similarly situated,

11 No. C 13-03451 WHA

12 Plaintiffs,

13 **ORDER FOR
SUPPLEMENTAL BRIEFING**

14 v.

15 APPLE INC., a California Corporation,

16 Defendant.

17 _____/

18 The Court is concerned that limiting plaintiffs to the all-or-nothing theory that time spent
19 subject to the bag check policy is compensable regardless of any individual's particularized
20 medical or other need to bring a bag would preclude some absent class members from pursuing
21 their best theory and poses an adequacy of representation problem. The Court is also concerned
22 that all alternate and particularized theories would be later barred by *res judicata*. The parties
23 shall submit supplemental briefs **NOT TO EXCEED TEN PAGES** by **JULY 7 AT 5:00 P.M.** addressing
24 these issues.

25
26 **IT IS SO ORDERED.**

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28 Dated: July 4, 2015.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE